

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RONALD J. BRILEY,

No. 3:16-CV-02098

Petitioner,

(Judge Brann)

v.

THERESA DELBALSO and
PA STATE ATTORNEY GENERAL,

Respondents.

ORDER

MAY 23, 2019

Ronald J. Briley filed this 28 U.S.C. § 2254 petition challenging his state court conviction and sentence.¹ In April 2019, Magistrate Judge Martin C. Carlson issued a Report and Recommendation recommending that this Court deny Briley's petition on the merits.² After receiving an extension of time from the Court, Briley filed timely objections to the Report and Recommendation in which he generally reiterates his arguments in support of his claims.³

“If a party objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a de novo determination of those portions of the report

¹ Doc. 1.

² Doc. 17.

³ Docs. 19, 20.

or specified proposed findings or recommendations to which objection is made.”⁴

Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge’s findings or recommendations.⁵ After reviewing the record, the Court finds no error in Magistrate Judge Carlson’s conclusion that Briley’s claims are without merit.

Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Martin C. Carlson’s Report and Recommendation (Doc. 17) is **ADOPTED**;
2. Briley’s 28 U.S.C. § 2254 petition (Doc. 1) is **DENIED**;
3. A certificate of appealability shall not issue; and
4. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
United States District Judge

⁴ *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

⁵ 28 U.S.C. § 636(b)(1); Local Rule 72.31.